

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,701	01/07/2000	MAKOTO KOBAYASHI	12989-JA998	4634

7590 06/24/2004

RICHARD L CATANIA ESQ
SCULLY SCOTT MURPHY & PRESSER
400 GARDEN CITY PLAZA
GARDEN CITY, NY 11530

EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/480,701

Applicant(s)

KOBAYASHI ET AL.

Examiner

Bunjob Jaroenchonwanit

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to amendment/reconsideration filed 05/06/04, the amendment/reconsideration has been considered. The rejections cited are as stated below.
2. The text of those sections of Title 35, U.S. Code § 102 (e) and 103 (a) not included in this action can be found in a prior Office Action.
3. Claims 1-4, 6, 8-13 are rejected under 35 U.S.C. 102 (e) as being anticipated by Pacifici et al (US. 6,230,171).
4. As to claims 1, 3, 4, 9-13 Pacifici discloses a method and apparatus (hereafter a system) for sharing HTML Documents, i.e., shared web pages, including a markup system, which is downloaded from central server (Col.4, lines 26-45). The markup system includes a Markup manager, i.e., NodeManager, for controlling browser in each of collaboration nodes (410, Fig.1); a Markup Agent (412), i.e., PageManager, for controlling, detecting changes of the shared web pages, communicating the changes between clients terminals (412, Fig 4). Pacifici's system further includes a browser in each of the client nodes, which is capable of presenting multiple frames (Fig. 4). Furthermore, Pacifici discloses the Markup Agent comprises a module for capturing event (416) for detecting changes, e.g., user interaction or URL changes, in the shared web page, communicating the changed between the surrogate and the controller, i.e., sending/receiving changes between PageManager and NodeManager (abstract; Fig. 2; Col. 4, line 10-Col. 5, line 47; Col. 6, lines 15-57). Moreover, Pacifici includes a means, collaboration server, for inserting Java script for functioning as Markup Manager and Markup Agent, which invoking within each and every shared document, i.e., server include a means for embedding PageManager in each page (Col. 4, lines 27-32).

Art Unit: 2143

5. Regarding claim 8, Pacifici discloses the Markup system is Java Script (Col. 4, lines 9-26), i.e., a PageManager is embedded as Java applets which have an identical domain and data communication by shared memory is performed between said PageManager and said NodeManager.

6. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable under Anupam et al (US. 6,411,989) and Pacifici et al., (U.S. 6,230,171).

7. Regarding claims 1, 3, 4, 9-13, Anupam discloses a method and apparatus (hereafter a system) for sharing Web-top, i.e., shared web-page, browser, having a manager and a controller for controlling browser in each of collaboration nodes, i.e., NodeManager, and each of the nodes includes a surrogate, i.e., PageManager, for controlling, detecting changes of a shared web page, sending the change to the controller(s) and/or receiving the changes from the controller. Furthermore, Anupam discloses the surrogate is capable of detecting changes, e.g., user interaction or URL changes, in the shared web page, communicating the changed between the surrogate and the controller, i.e., sending/receiving changes between PageManager and NodeManager (abstract fig. 2; Col. 3, line 40-Col. 4, line 18). Such teaching infers that the means for detecting change and means for receiving changes are inherent.

Even though, Anupam does not explicitly disclose an embedding means, or embedder, in a server, for embedding PageManager in each of the page, but such means is no novelty. In analogous art, Pacific employed the same concept in its web based collaboration system, which included embedding PageManager in a web page, i.e., inserting Java scripts for functioning as a Markup Agent in every frames, for detecting web frame's content activities and allowing client

Art Unit: 2143

terminals to share HTML documents, e.g., pages (abstract; Fig. 2-4; Col. 4, line 10-Col. 5, line 47; Col. 6, lines 15-57).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to Modify Anupam's collaboration system with the Pacific's concept, to embed the Surrogate applet within each of the web pages as suggested by embedding Markup Agent's concept in Pacifici, with the motivation to provide a platform independent that is capable of directly annotating page, dynamically adding the page component for operable across the platform as well as in a specific browser (Col. 2, lines 60-67). .

8. Regarding claim 2, Anupam-Pacifici discloses a server included manager for control session between collaborative browsers, controlling list of documents to be reviewed by the perspective collaborator, and displaying pages previously created to the new participant, visiting the sequence URL to review its history, (Anupam, Col. 3, lines 24-40; Col. 4, lines 33-67) e.g., computer U-N. Such teaching infers that the page and changed pages are stored, e.g., cache in the server for later presentation. Further, Anupam-Pacifici discloses the system using JAVA applet to create a surrogate and Markup Agent, in each browser and page, i.e., the server embedding PageManager for controlling pages in each page (Pacifici, Col.4, and lines 9-26).

9. Regarding claim 5, Anupam-Pacifici discloses the surrogate periodically check the document structure changes (Anupam, Col. 5, lines 19-34; Col. 6, lines 8-40).

10. Regarding claim 6, Anupam-Pacifici discloses the manager-controller located in the server (Anupam, Fig. 2), i.e., independently from browsers, does not migrate, control communication including dynamically generate and terminate session.

Art Unit: 2143

11. Regarding claim 7, Anupam-Pacifici discloses the manager created lists of on going session, which previously created by computer U-1, to be displayed or reviewed in a new participant computer U-N, i.e., transition history of a page (Anupam, Col. 3, lines 24-40; Col. 4, lines 33-53).

12. Regarding claim 8, Anupam-Pacifici discloses, a PageManager is embedded as Java applets which have an identical domain and data communication by shared memory is performed between said PageManager and said NodeManager, e.g., a Surrogate and Markup agent are JAVA applets created for communicating with the controller in the same domain (Pacifici, Col. 4, lines 9-32).

13. Claim 14 are rejected under 35 U.S.C. 103(a) as being unpatentable under Anupam-Pacifici et al, as applied to claims 1-13, and further in viewed of what was well known in the art.

14. Regarding claims 14, Anupam-Pacifici discloses the invention substantially, as claimed, as described, above, but does not explicitly disclose memory queue for functioning as a message queue.

15. Official Notice is taken (see MPEP 2144.03) memory queue was well known in the art at the time of the invention was made, and has been widely utilized for queuing data information for communications both internally and externally long before the invention was made. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made that employ the well-known memory queue for queuing messages between PageManager, NodeManager, Surrogate, Markup Agent, Markup Manager, or etc. with the motivation of properly distributing message services.

Art Unit: 2143

16. Applicant's arguments filed on 05/06/04 have been fully considered but they are not deemed to be persuasive. Examiner thanks the applicant for pointing out the typographical error in paragraph 8. To clarify this issue, the examiner has revised paragraph 8, accordingly.

In the remarks, applicant argued in substance that the prior art failed to teach the cooperative relation between PageManager and NodeManager and receiving both PageManager and NodeManager from a server, for maintaining changes.

Examiner disagreed, in the previous rejection; examiner has equated the Collaboration Server (112, Fig. 1) with the claimed server, the Markup Manager also has been equated to the claimed NodeManager as well as equivalent between the Markup Agent and the claimed PageManager. Further, Pacifici discloses the Markup Manager and Markup Agent are components of a markup system, and the markup system is invoked in every shared document displayed at the Web browser, i.e., client (Col.2, lines 26-32; Col. 5, lines 8-11). Clearly, the cited teaching implied the Markup Manager, i.e., NodeManager and the Markup Agent, i.e., PageManager are loaded from the Collaboration server, i.e., the server.

In addition, applicant, further, contented that the prior art lacks the teaching of embedding PageManager in each page. Examiner also disagreed to this point of contention. Pacifici clearly teaches one to one embedding of Markup Agents and Web Frames, which each of the frame could represent a Web Page or a frame within a Web page; interaction between the Markup Agents and the Markup Manager, which in turn communicate with client side manager in the collaboration server. The cited teaching is analogous to the functionalities of the PageManager and the NodeManager, as claimed. Thus, the distinction between Pacifici and the claimed inventions is merely nomenclature differences.

Art Unit: 2143

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (703) 305-9673. The examiner can normally be reached on 8:00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'B. Jaroenchonwanit', with a stylized flourish at the end.

Bunjob Jaroenchonwanit
Primary Examiner
Art Unit 2143

/bj
6/21/04